REMARKS

In view of the final Action of August 6, 2007, it is necessary to further amend claims, which will introduce new issue after final Action, so that RCE with amendment has been filed.

In the invention, since a single-component oxide of the element B is 20% or less, charge-discharge durability in high voltage is obtained. Also, the feature of the single-component oxide of the element B limited to 20% or less is confirmed by the fact that no diffraction peaks are observed at 2θ of 28±1° in a high-sensitivity X-ray diffraction spectrum using Cu-Kα ray. Namely, if the oxide of the element B exists excessively, improvement of the charge-discharge cycle durability is reduced, so that the single oxide element more than a predetermined amount should not exist.

In the invention, the positive electrode is improved in the high voltage at 4.5 to 1.75V in the charge-discharge cycle durability.

In the invention, when cobalt, lithium, magnesium and zirconium raw materials are mixed and fired at 850-1000 °C, the positive electrode having the element B limited to 20% or less where no diffraction peaks are observed at 2θ of 28±1° in a high-sensitivity X-ray diffraction spectrum using Cu-Kα ray, is obtained. The positive electrode thus obtained shows excellent charge-discharge cycle durability and high discharge capacity.

The cited references in the Action do not disclose or suggest the features now defined in the claims.

Please examine the application.

A credit card authorization form in the amount of $810.00 is attached herewith for filing RCE.

Respectfully Submitted,

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